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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/501,639	02/11/2000	Michael Ruf	1056	4165

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Striker Striker & Stenby
103 East Neck Rd
Huntington, NY 11743

EXAMINER

STEVENS, ROBERTA A

ART UNIT PAPER NUMBER

2665

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/501,639

Applicant(s)

RUF ET AL.

Examiner

Roberta A Stevens

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-14 is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Israni (U.S. 6438561 B1) in view of Tognazzini (U.S. 6278660 B1).

3. Regarding claim 1, Israni teaches (figures 1-3 and 14-16) a method of transmitting digitally coded traffic information, wherein said digitally coded traffic information includes a digitally coded traffic message having a standard format containing first location information, method comprising: providing a leading header in front of traffic message; providing at least one additional information portion following the traffic message; and providing additional location information in the additional information portion adding to and/or changing the first location information.

4. Israni does not teach a header indicating that at least one additional information portion follows.

5. Tognazzini teaches (col. 6, lines 53 – 62 and fig. 7) a header indicating that at least one additional information portion follows. It would have been obvious to one of ordinary skill in the art to adapt to Israni's system Tognazzini's concept of a header indicating that at least one additional information portion follows to maintain quality of service in the system.

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6. Regarding claim 2, Israni teaches (column 13) the header includes means for encoding the traffic message.

7. Regarding claim 3, Israni teaches (figures 12 and 13) the additional information portion is divided into classes and each class comprises a class indicator and at least one data packet.

8. Regarding claim 4, Israni teaches (figures 12-13) each class includes a class length following the class indicator and leading the data packet and class length designates results of a count the data packets following the class length.

9. Regarding claim 5, Israni teaches (figures 12-13) the data packet comprises type indicator and information entities.

10. Regarding claim 6, Israni teaches (figures 12-13) the number of required packets is fixed in each class.

11. Regarding claim 7 and 9, Israni teaches (column 5, lines 44-60) standard format is coded according to a TMC method.

12. Regarding claim 8, Israni teaches (figures 1-3 and 14-16) a radio receiver for reception and analysis of digitally coded traffic information including a digitally coded traffic message having a standard format, the message comprising first location, comprising: a receiving stage

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including means for receiving traffic information, means for analysis of a leading header provided in front of the message, and means for evaluation of additional information portion to ascertain any additional location information contained within, the additional location information consisting of changing and/or additions to the first location information.

13. Israni does not teach a leading header indicating the presence of at least one additional information portion following the message.

14. Tognazzini teaches (col. 6, lines 53 – 62 and fig. 7) a header indicating that at least one additional information portion follows. It would have been obvious to one of ordinary skill in the art to adapt to Israni's system Tognazzini's concept of a header indicating that at least one additional information portion follows to maintain quality of service in the system.

15. Regarding claim 10, Israni teaches (figure 2) a processor including a memory for only standard text information and means for detecting the additional location information in the additional information portion.

Allowable Subject Matter

16. Claims 11-14 are allowed.

Conclusion


1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roberta A Stevens whose telephone number is 571-272-3161.

The examiner can normally be reached on M-F 9:00am-5:30pm.

2. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

3. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Roberta A Stevens
Examiner
Art Unit 2665


STEVEN NGUYEN
PRIMARY EXAMINER